

CR 18 - 030



DeARCY HALL, J

KUO, M.J.

U.S. Department of Justice

Criminal Division

FILED
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U.S. DISTRICT COURT E.D.N.Y.

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BROOKLYN OFFICE

*Fraud Section
Bond Building
1400 New York Avenue, N.W.
Washington, D.C. 20530*

January 18, 2018

BY HAND DELIVERY

Clerk of the Court
(for forwarding to randomly assigned U.S. District Judge)
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

The Honorable Nicholas G. Garaufis
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. HSBC Holdings plc

Dear Clerk of the Court and Judge Garaufis:

Pursuant to Local Rule 50.3.2, the government hereby notifies the Court that the above-captioned case is presumptively related to United States v. Mark Johnson and Stuart Scott, 16-CR-457 (NGG) ("Johnson and Scott").

Local Rule 50.3.2(b)(1) provides for a "presumption that one case is 'related' to another when the facts of each arise out of the same charged criminal scheme(s), transaction(s), or event(s), even if different defendants are involved in each case." Local Rule 50.3.2(c)(1) directs the government to "give notice to all relevant judges whenever it appears that one case may be presumptively related to another pursuant to Section (b)(1)."

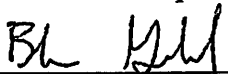
This letter constitutes the notice directed by Local Rule 50.3.2(c)(1). This case is presumptively related to the case against Messrs. Johnson and Scott because both the Indictment against Messrs. Johnson and Scott and the Information filed herewith pertain to a scheme to defraud a company called Cairn Energy in connection with a large foreign exchange (FX) transaction executed in December of 2011. In the fall of 2017, Judge Garaufis presided over a jury trial against Mr. Johnson during which the Cairn Energy transaction was discussed in great detail. Paragraphs one through thirty-four and forty-seven through forty-nine of the Information here allege misconduct with respect to the same Cairn Energy foreign exchange transaction that was the subject of Mr. Johnson's jury trial and of the Indictment returned against Messrs. Johnson and Scott. As the case is thus presumptively related, the government respectfully

submits that reassignment would be appropriate, as it would likely result in a significant savings of judicial resources and serve the interests of justice.

Respectfully submitted,

SANDRA L. MOSER
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By:


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